## PRESS RELEASE

FOR IMMEDIATE RELEASE

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## JURY RETURNS GUILTY VERDICT IN ALIEN SMUGGLING CASE

**TUCSO N, ARIZONA** -- The United States Attorney's Office for the District of Arizona announced that on Thursday, February 5, 2004, Cesar Balderas-Granados, a citizen of Mexico, was found guilty of two counts of Transportation of Illegal Aliens for Commercial Advantage or Private Financial Gain and one count of Illegal Re-entry Following Deportation, by a federal jury in Tucson, Arizona.

The evidence at trial showed that on November 4, 2003, Cesar Balderas-Granados was driving a black Ford pickup near Arivaca, Arizona. A U.S. Border Patrol agent could see the knees and elbows of numerous individuals bouncing in the bed of the truck as it traveled through dips and washes. When the agent tried to perform a traffic stop on the vehicle, it failed to yield. Additional Border Patrol agents were able to successfully deflate the vehicle's front tires with controlled tire deflation devices. However, the vehicle continued to elude agents until it eventually left the roadway and crashed through a fence into the open desert. Border Patrol agents riding A.T.V.'s continued the pursuit despite having objects, including a spare tire, thrown at them from the back of the truck. When the vehicle came to rest, agents immediately apprehended the driver, Cesar Balderas-Granados, as he attempted to flee from the driver's seat. Subsequent

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investigation revealed the presence of 11 undocumented aliens in the bed of the truck and 14 undocumented

aliens in the cab of the truck, including numerous children and infants. The defendant was also an illegal alien

who had previously been deported from the United States.

The defendant is being held pending sentencing.

Cesar Balderas-Granados had been charged with 2 counts alleging violations of Title 8 of the

United States Code, Section 1324, Transportation of Illegal Aliens for Commercial Advantage or Private

Financial Gain and one count in violation of Title 8, United States Code, Section 1326, Illegal Re-Entry

Following Deportation. The case was tried before United States District Court Judge Cindy Jorgenson

during the week of February 2, 2004.

A conviction for Illegal Transportation of Undocumented Aliens For Commercial Advantage or

Private Financial Gain carries a maximum penalty of 5 years in prison, a \$ 250,000.00 fine or both. A

conviction for Illegal Re-Entry Following Deportation carries a maximum penalty of 2 years in prison and

a \$250,000.00 fine or both.

The investigation leading to the guilty verdict was conducted by the Tucson and Nogales Sectors

of the United States Border Patrol.

Sentencing is set before Judge Jorgenson on April 16, 2004.

The prosecution is being handled by Brad Giles, Assistant United States Attorney, District of

Arizona, Tucson, Arizona.

CASE NUMBER:

CR-03-2360 TUC

RELEASE NUMBER:

2004-027

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